

STATE OF FLORIDA

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PUBLIC SERVICE COMMISSION

January 8, 2001

VIA ELECTRONIC FILING

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, SW - TW-A325
Washington, DC 20554

Re: CC Docket No. 00-229, 2000 Biennial Regulatory Review --
Telecommunications Service Quality Reporting Requirements

Dear Ms. Salas:

Forwarded herewith are Comments of the Florida Public Service Commission in response to the Notice of Proposed Rulemaking in the above-noted docket.

Sincerely,

/s/

Cynthia B. Miller, Esquire
Bureau of Intergovernmental Liaison

CBM:tf

Attachment

cc: Brad Ramsay, National Association of Regulatory Utility Commissioners

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554**

In the Matter of)	
)	
2000 Biennial Regulatory Review --)	CC Docket No. 00-229
Telecommunications Service Quality)		
Reporting Requirements)	
)	
_____)	

**COMMENTS OF THE FLORIDA PUBLIC SERVICE COMMISSION
IN RESPONSE TO NOTICE OF PROPOSED RULEMAKING**

On November 9, 2000, the Federal Communications Commission (FCC or Commission) adopted a Notice of Proposed Rulemaking (NPRM) as part of its biennial regulatory review process.

In the NPRM, the FCC requests comments on its proposal to reduce the service quality data price cap LECs are required to report to the Commission on a quarterly basis. The Florida Public Service Commission (FPSC) hereby submits its comments.

The FPSC commends the Commission's goal to make service quality information more useful to consumers and recognizes the Commission's obligation to periodically review these requirements to reduce any unnecessary burdens on carriers. However, we believe the FCC's proposed actions to reduce reporting requirements are premature at this time and propose that instead, the FCC concentrate on taking the action necessary to make the service quality information more meaningful and useful.

Florida telephone customers continue to communicate to the Florida Public Service Commission, by way of complaints to our Division of Consumer Affairs, their dissatisfaction with the

quality of service provided by many telecommunications service providers. Although the competitive marketplace may eventually establish a level of service quality that is sustainable in the absence of regulatory requirements, there is not yet sufficient competitive pressure in some sectors of the telecommunications industry to establish that minimum service standard. Continuing to require service quality reporting to the Federal Communications Commission will help establish a minimum quality of service standard that customers will come to expect and demand from new entrants to the marketplace.

We reiterate the concerns expressed in a resolution adopted by the National Association of Regulatory Utility Commissioners (NARUC) at its annual convention on November 15, 2000. Specifically, the NARUC determined that reductions in reporting requirements will reduce the ability of regulators to determine whether inadequacies exist and how those inadequacies should be addressed. The NARUC also notes the failure of large LECs to make an evidentiary showing that current reporting requirements cause any significant burdens.

The FCC asks whether it should “specify with more particularity” the definitions and business rules for the measures it proposes to retain. We believe that the measure definitions, as proposed in the NARUC white paper, need to be refined to include when the clock starts and stops for each measurement being reported. We have learned through experience with the ongoing proceeding regarding Operational Support Systems that it is important for the measurements to be clear and repeatable. Each company reporting data should be able to measure the information exactly the same way for the information to be useful.

The FPSC also has a concern that, because the information is aggregated at such a high level, it may not be useful for the purpose proposed--consumer information. For example, missed installations as an overall measurement gives the FCC and state regulators an idea of how a company is performing overall, but it does not give a consumer in a rural exchange sufficient information of how the company is performing in his local area. At a minimum, the information should be aggregated at a state level, which should be more useful to the consumer. It is easy to demonstrate high quality service performance overall while performing poorly in small geographic areas. This is where state quality of service rules become very important.

Conclusion

The FPSC urges that:

1. The definitions of the reporting measures should be refined to include the precise time frame for the measurement;
2. The information should be disaggregated to a state or smaller geographic level, per company, which would be more useful to the consumer; and
3. No reduction in reporting is warranted at this time, since customers continue to express concerns about the carriers' quality of service.

Respectfully submitted,

/ s /

Cynthia B. Miller, Esquire
Bureau of Intergovernmental Liaison

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DATED: January 8, 2001